

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 31-00300B

SEP 17 2002

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: BROWNS LAND & CATTLE CO INC
4141 N 5000 W
REXBURG, ID 83440

SOURCE: WEST THREEMILE CREEK TRIBUTARY: THREEMILE CREEK
THREEMILE CREEK BEAVER CREEK

QUANTITY: 1.60 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.40 CFS. COMBINED RIGHT NOS.:
31-295, 31-298, 31-299B, 31-300B, 31-294B
FACILITY VOLUME 16 AF.

PRIORITY DATE: 04/01/1913

POINT OF DIVERSION: T12N R37E S17 NWNENW Within Clark County
SENENW
NWSW
S18 S19 SESE
SWSE
NWNENE
SENE
SWNE
NENE
SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-15	0.24 CFS
	Irrigation	05-01 TO 10-31	1.60 CFS
	Irrigation Storage	01-01 TO 12-31	16.00 AFY
	Irrigation from Storage	05-01 TO 10-31	16.00 AFY

PLACE OF USE:	Irrigation	Within Clark County	
	T12N R37E S17	NENW 9.0 SENE 14.0 NWSW 33.0 S18 SWSE 2.0 S19 NENE 28.0 SWNE 40.0 NENW 2.0 NESW 10.0 NWSE 40.0 S20 NWNW 1.0 332.0 Acres Total	S17 SWNW 11.0 S18 NESW 3.0 S19 SWSW 23.0 SESE 33.0 NWNE 28.0 SENE 12.0 SENW 11.0 NESE 32.0

	Irrigation Storage	Within Clark County
	T12N R37E S17	NENW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 358 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-295, 31-298, 31-299B,
31-300B, 31-294B

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

OTHER PROVISIONS (continued)

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication